

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARLON BERNIER, WILFREDO RAMOS,	:	
CARLOS SIERRA and JOSE FRANCISCO	:	
LABORIEL, individually and on behalf of	:	
others similarly situated,	:	23-CV-761 (VSB)
	:	
Plaintiffs,	:	<u>ORDER</u>
	:	
-against-	:	
	:	
GARD RECYCLING, INC., DRC GROUP,	:	
INC., BEVERAGE CONTAINER	:	
RECYCLING CORPORATION, GUASTAVO	:	
RODRIGUEZ and ALEX DOLJANSKY,	:	
	:	
Defendants.	:	
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VERNON S. BRODERICK, United States District Judge:

A teleconference was held before me on January 31, 2025 at 11:00 A.M. (*See* Doc. 59.)

No Defendant or any of their representatives appeared for the teleconference. Plaintiffs’ counsel contends that he made “many attempts to reach the individual Defendants Alex Doljansky and Gustavo [*sic*] Rodriguez,” but “they have not communicated with [him].” (Doc. 60 at 1.)

Although Plaintiffs’ counsel had previously communicated with Defendant Doljansky on the phone, Doljansky has since refused to respond to further communication attempts made through calls and emails. (*Id.*) Defendant Rodriguez also “failed to respond or call” Plaintiffs’ counsel back. (*Id.*) Accordingly, it is hereby:

ORDERED that, by February 14, 2025, pro se Individual Defendants Doljansky and Rodriguez submit a filing on the docket with their contact information, including their phone numbers and mailing addresses.

IT IS FURTHER ORDERED that, by February 14, 2025, Individual Defendants Doljansky and Rodriguez communicate with Plaintiffs’ counsel regarding their discovery


obligations.

IT IS FURTHER ORDERED that, if Individual Defendants Doljansky and Rodriguez fail to comply with this order, Plaintiffs file a letter informing me of their failure. If Individual Defendants Doljansky and Rodriguez fail to comply with this order, Plaintiffs are directed to seek default judgment against the Defendants in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 15, 2025. If Plaintiffs fail to do so or otherwise demonstrate that they intend to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that Plaintiffs' counsel serve a copy of this order by (1) mail to any known addresses of Defendants, (2) text message to any known phone numbers of Defendants, and (3) email to any known email addresses of Defendants.

SO ORDERED.

Dated: January 31, 2025
New York, New York


VERNON S. BRODERICK
United States District Judge